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STATE OF CALIFORNIA  
PHYSICAL THERAPY BOARD OF CALIFORNIA  
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BY C. Yuramanta ANALYST

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BEFORE THE  
PHYSICAL THERAPY BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 1D-2012-73250

12 **RENEE MARIE BURRESCIA PTA**  
13 **5560 Butte Terrace View**  
14 **Paradise, CA 95969**  
15 **Physical Therapist Assistant License No. AT**  
16 **2764**

**A C C U S A T I O N**

Respondent.

Complainant alleges:

PARTIES

1. Jason Kaiser (Complainant) brings this Accusation solely in his official capacity as the Interim Executive Officer of the Physical Therapy Board of California, Department of Consumer Affairs.

2. On or about April 16, 1992, the Physical Therapy Board of California issued Physical Therapist Assistant License Number AT 2764 to Renee Marie Burrescia, PTA (Respondent). The Physical Therapist Assistant License was in full force and effect at all times relevant to the charges brought herein and will expire on July 31, 2013, unless renewed.

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## JURISDICTION

2. This Accusation is brought before the Physical Therapy Board of California (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

3. Section 2660 of the Code states:

The board may, after the conduct of appropriate proceedings under the Administrative Procedure Act, suspend for not more than 12 months, or revoke, or impose probationary conditions upon any license, certificate, or approval issued under this chapter for unprofessional conduct that includes, but is not limited to, one or any combination of the following causes:

...

(h) Conviction of a violation of any of the provisions of this chapter or of the Medical Practice Act.

4. Section 2234 of the Code states that the board shall take action against any licensee who is charged with unprofessional conduct.

5. Section 2661.5 provides in relevant part that "in any order issued in resolution of a disciplinary proceeding before the board, the board may request the administrative law judge to direct any licensee found guilty of unprofessional conduct to pay to the board a sum not to exceed the actual and reasonable cost of investigation and prosecution of the case.

6. Section 2684(b) of the Code provides in relevant part that to renew an unexpired license or approval, the licensee or the holder of the approval shall, on or before the dates on which it would otherwise expire, apply for renewal on a form prescribed by the board, pay the prescribed renewal fee, and submit proof of the completion of continuing education or competence required by the board pursuant to Article 6.5 (commencing with Section 2676).

7. California Code of Regulations, Title 16, section 1399.91, states:

"(a) As required by this article, a licensee must accumulate 30 hours of continuing competency hours in each license cycle. A licensee must submit evidence of completing those hours to the board in order to renew his or her license. In order to implement this requirement."

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1       “(1) For licenses that expire between October 31, 2010 and October 31, 2011, if the renewal  
2 is submitted prior to the expiration of the original license, 15 hours of continuing competency  
3 shall be completed.”

4       “(2) For licenses that expire on or after November 1, 2011, the full 30 hours shall be  
5 completed.”

6       “(b) “For first-time renewals, if the renewal is submitted prior to the expiration of the  
7 original license, the continuing competency hour requirements shall be one-half of the normal  
8 cycle. The requirements of 1399.93 shall apply to any renewal under this subsection.”

9       “(c) For those licensees accumulating ‘continuing education units’ or ‘CEUs’ under the  
10 continuing education requirements of APTA and CPTA, one CEU is equal to ten hours.”

11       8. California Code of Regulations, title 16, section 1399.97, states:

12       “(a) Each licensee shall keep and maintain records showing that each course of activity for  
13 which credit is claimed has been completed. Those records shall reflect the title of the course or  
14 activity, the date taken or completed, and the record of participation.”

15       “(b) Each licensee shall retain such documentation for a period of five years after the course  
16 of activity concludes.”

17       “(c) Each licensee shall provide copies of such documentation to the board or its designee  
18 upon request.”

19       9. Section 2261 of the Code provides that knowingly making or signing any certificate  
20 or other document directly or indirectly related to the practice of medicine or podiatry which  
21 falsely represents the existence or nonexistence of a state of facts, constitutes unprofessional  
22 conduct.

### 23 CAUSE FOR DISCIPLINE

24 (Unprofessional Conduct-Continuing Competency Deficiencies)

25       10. Respondent is subject to disciplinary action under sections 2684(b), 2261, 2660(h),  
26 2234, and Title 16 California Code of Regulations 1399.91, and 1399.97. The circumstances are  
27 as follows:

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1           11. On or about July 2, 2011, Respondent signed under penalty of perjury a physical  
2 therapist assistant renewal application wherein she certified that she "had accumulated at least the  
3 minimum continuing competency hours required by Section 1399.91 of the Title 16 of the  
4 California Code of Regulations within my renewal period and prior to my license expiration  
5 date." She further certified that "if I am audited by the PTBC, I can submit evidence of my  
6 completion of the continuing competency hours." Respondent's license expiration/renewal date  
7 was July 31, 2011.

8           12. On or about June 1, 2012, as part of a random continuing competency audit, Physical  
9 Therapy Board staff wrote to Respondent and requested she submit documentation to demonstrate  
10 her compliance with her completion of the continuing competency hours. Respondent is  
11 obligated under the regulation to document fifteen hours of courses (to include two hours in  
12 ethics, laws and regulations, and four hours in basic life support for health professionals) for the  
13 renewal period ending July 31, 2011.

14           13. Respondent was able to document a 2 hour course on Ethics and Jurisprudence, a 4  
15 hour course on CPR, and a 4 hour course on Parkinson's Syndrome. Respondent claimed she  
16 took two additional courses on End of Life (4hours) and Physical Aspect of Aging (2.5 hours) but  
17 was unable to provide completion certificated. Respondent is deficient five hours in her  
18 continuing Competency requirements ending on July 31, 2011.

19                               PRAYER

20           WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
21 and that following the hearing, the Physical Therapy Board of California issue a decision:

22           1. Revoking or suspending Physical Therapist Assistant License Number AT 2764,  
23 issued to Renee Marie Burrescia, PTA;

24           2. Ordering Renee Marie Burrescia, PTA to pay the Physical Therapy Board of  
25 California the reasonable costs of the investigation and enforcement of this case, pursuant to  
26 Business and Professions Code section 2661.5;

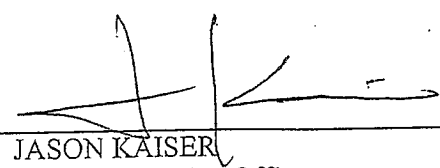
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3. Taking such other and further action as deemed necessary and proper.

DATED: April 5, 2013



JASON KAISER  
Interim Executive Officer  
Physical Therapy Board of California  
Department of Consumer Affairs  
State of California  
*Complainant*

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